

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

March 12, 2007

CALL TO PODIUM:**RESPONSIBLE STAFF:**

Fred Felton, Staff Liaison

Sarah Paxton, Staff Liaison

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment (Reappointments)
	Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
X	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Update from the Board of Supervisors of Elections in Preparation for the Upcoming City Election to Include Voting Equipment and Discuss the Report From the Ad Hoc Election Participation Advisory Committee

SUPPORTING BACKGROUND:

The next City election is scheduled for Tuesday, November 6, 2007. The Board of Supervisors of Elections (the Board) began meeting in early January of 2007 to begin preparations for the election.

During the 2006 Strategic Planning Retreat, the Mayor and City Council discussed the relatively low voter turnout during the 2005 City election and determined that it was appropriate to form a committee to explore ways to increase turnout.

On December 4, 2006, the Mayor and City Council appointed an Ad Hoc Election Participation Advisory Committee (Ad Hoc Committee), and that committee submitted their final report to the Board on March 1, 2007. During the March 7, 2007 Board meeting, the Board fully endorsed the Ad Hoc committee's report.

A key issue the Board has been discussing is whether or not to recommend that the City utilize the Diebold Electronic Voting System for the November 6, 2007 election. While the City has encountered no significant problems with this equipment during the last two election cycles, the Board is cognizant about the following:

1. It appears that two other Montgomery County municipalities holding elections on November 6, 2007 will not be using the Diebold Electronic System due to various concerns.
2. A number of citizens and advocacy groups have expressed concerns about the security of the Diebold Electronic Voting System.

(continued on page 2)

DESIRED OUTCOME:

Hear presentation, and provide guidance to staff and the Board of Supervisors of Elections.

MAYOR & COUNCIL AGENDA COVER SHEET

Page 2

1. Legislation is currently pending in the Maryland General Assembly that would require modifications to the Diebold Electronic Voting System. It is extremely unlikely that any required modifications to this equipment could be completed prior to the City election.

Accordingly, the Board has voted unanimously to recommend the City not use the Diebold Electronic Voting System for the November 6, 2007 election. In cooperation with election staff from the Cities of Rockville and Takoma Park, City staff has held a series of meetings with other vendors who could support the upcoming municipal election.

Another key preliminary recommendation of the Board is to create a 6th polling site for City elections. This could be accomplished by splitting the current voting area number GA04 into two voting areas: one would serve the Asbury community only and one would serve the remaining areas of former voting area number GA04.

During the course of the work session, Chairman More will brief the Council on the Boards activities to date in preparation for the 2007 election, and will provide specific recommendations to the Council. At the conclusion of Chairman More's presentation, Ad Hoc Committee spokesman Jud Ashman will provide an overview of the Ad Hoc Committee's report.

Attachments:

1. Ad Hoc Committees Report
 - Exhibit #1
 - Exhibit #2
 - Exhibit #3
 - Exhibit #4
2. Map showing 2005 Voting Area boundaries
3. Map showing 2007 Proposed voting area boundaries

Ad Hoc Election Participation Advisory Committee Report to Board of Supervisors of Elections March 1, 2007

On December 4, 2007, the Gaithersburg Mayor and City Council approved a resolution establishing a City of Gaithersburg Ad Hoc Election Participation Advisory Committee. The charge of the committee was to provide recommendations to the Board of Supervisors of Elections on methods to improve voter turnout in City elections.

Appointed to the Committee were:

Richard Arkin, Jud Ashman, Cathy Drzyzgula, Gail Norris, Josephine Wang

Staff supporting the Committee were:

Assistant City Manager Fred Felton, Public Information Director Britta Monaco, and Executive Assistant Sarah Paxton

The Committee met four times – January 4, January 17, February 28, and March 1, 2007._____

Background

In the last Gaithersburg municipal election (November, 2005), only 9.66% of those eligible to vote actually did so. That was the lowest percentage in 12 years, with the exception of 2003 which saw an 8.96% voter turnout. (Exhibit 1)

After considerable research in to municipal elections nationwide, Committee members identified the following factors:

1. ***Timing of Election:*** Elections held in conjunction with national elections experience higher voter turnout. Those held in off years or at a different time of year experience lower voter turnout.
2. ***Controversy:*** Voter turnout is higher when elections are contested. It is also higher in those communities with controversial issues.
3. ***Campaigning:*** Election campaigning by candidates increases voter turnout.
4. ***Voting Procedures:*** Voter registration, access to polling places, vote-by-mail and no-excuse absentee ballot voting affect voter turnout.
5. ***Awareness:*** Public relations campaigns to increase awareness about municipal elections seem to positively impact voter turnout.

The Committee discussed several issues relating to these five topics, including voter registration, timing of Gaithersburg's elections, the campaign season, absentee balloting, and advertising.

Staff was asked to research the issue of voter registration. According to current population estimates, approximately 81% of eligible voters are currently registered to vote in Montgomery County, and thus in Gaithersburg. The national average is 72%. The committee agreed that efforts to increase voter registration should not be the focus of this election cycle.

The timing of Gaithersburg's elections also was discussed. However, the Committee felt that its charge was to develop recommendations to impact the November 6, 2007 election, and its energy should be spent in that direction rather than spending time researching and making recommendations on issues that would not be applicable in this election cycle.

Recommendations

1. The Committee recommends securing an additional polling place in what is currently the GA04 area. With 6,495 registered voters, GA04 currently ranks first among voting areas in the number of registered voters, but it ranks fourth in voter turnout. There were concerns during the 2005 election that Asbury Methodist Village, currently the only polling place in GA04, is viewed by some as inaccessible. The Committee also recommends working with the management at Asbury Methodist Village and any other closed communities to promote equal opportunities for all candidates in City elections to have some access to voters residing therein. (Exhibit 2)
2. The Committee recommends amending the City Code to permit no-excuse absentee balloting. Currently absentee ballots are only issued to those individuals who will be out of the City of Gaithersburg during the time the polls are open, or who are physically unable to get to a polling place. The procedure for absentee balloting would not be altered, but no reason would need to be given for requesting a ballot. Appropriate advertising would be done to promote this option should the charter be amended. (Exhibit 3)
3. The Committee recommends allowing for a longer campaign period by making candidate packages available earlier. Currently the packages are available to candidates 90 days prior to the election date. The Committee recommends that this be extended to 120 days prior to the election date. The deadline for filing would remain the same.
4. The Committee recommends revising the policy for the airing of candidate debates and candidate statements. The Committee felt that a one-time airing of only one candidate debate did not provide enough exposure for the election. The Committee therefore recommends that up to three independent candidate debates be allowed, that they be televised live, that they be rebroadcast on the City's Cable TV channel for up to one week, or until the next live televised debate (at least one rebroadcast of which would be in prime time), and that the debate(s) be archived on the City's website. The Committee also recommends that the candidate statements aired on the City's Cable TV channel also be archived on the City's website for on-demand viewing.(Exhibit 4)
5. The Committee recommends increasing awareness of Gaithersburg's elections by:
 - a. Publishing a series of articles in the Gaithersburg Communiqué (the City's quarterly newsletter), reminding residents about the election and emphasizing the importance of voting in local municipal elections.

- b. Publishing a special edition of the Communiqué to be distributed on October 22, 2007. The edition would serve as an election guide. An independent moderator would pose questions to all candidates, with their responses appearing in the guide. In addition to this structured Q&A, candidates would be given the opportunity to provide a 250 word statement in which they can address any issues or topics of their choosing. The guide also would contain general information about the election. It would be printed in English and Spanish.
- c. Exploring cooperative advertising with other municipalities within the same media market that share election dates. These include: Gaithersburg, Bowie, College Park, Greenbelt, Rockville and Takoma Park. The proposed print advertisement(s) would stress the importance of voting in municipal elections, with a listing of the municipalities holding elections on November 6, 2007.
- d. Placing basic election information advertisements in bus shelters throughout Gaithersburg. The vendor would be directed to ensure that each voting area contain the same number of advertisements.
- e. Installing signage in municipal buildings reminding residents to register to vote.
- f. Promoting the elections at Celebrate Gaithersburg in Olde Towne on September 16 with either a manned booth or with signage.
- g. Requesting that Asbury Methodist Village air candidate statements and any candidate debates broadcast on Gaithersburg Channel 13 on their closed-circuit internal cable system.

It was noted that all City-produced advertising about City elections would be subject to approval by the Board of Supervisors of Elections.

Exhibit #1

ELECTION DATA 1993 TO 2005

YEAR	GENERAL ELECTION %'s	# OF REGISTERED VOTERS	# of Ballots Cast	# of POLLS	POLLING PLACE City Hall	POLLING PLACE Fields Rd.	POLLING PLACE Montgomery Playhouse	POLLING PLACE Asbury Village	POLLING PLACE	Absentee Ballots
1993	11.0%	18,107	1,991	2	1,276	715				
1995	9.8%	18,318	1,794	2	944	850				
1997	14.3%	21,495	3,091	2	1,705	1,386				
1999	11.0%	20,766	2,291	3	1,225	354	712			
					City Hall GA 01	Shady Grove GA 02	Kentlands GA03	Asbury Village GA 04		
2001	14.2%	24,631	3,506	4	769	512	1,385	840	Potomac Oaks GA 05	Absentee Ballots
2003	8.96%	25,936	2,324	5	449 *(4,350)	315 *(5,308)	571 *(5,715)	481 *(6,232)	421 *(4,331)	87
2005	9.66%	27,725	2,678	5	527 *(4,596)	353 *(5,617)	527 *(5,793)	515 *(6,495)	666 *(5,224)	90

*Number of registered voters in polling area

Exhibit #2

Detailed Election Data for 2005						
	GA 01 City Hall	GA 02 Shady Grove	GA03 Kentlands	GA04 Asbury	GA05 Potomac Oaks	Absentee Ballots
Current Population	11,141	11,760	11,296	13,635	10,528	
Estimated # of Eligible Voters	6,488	6,849	6,578	7,940	6,131	
# of Registered Voters	4,596	5,617	5,793	6,495	5,224	
% Registered	70%	82%	88%	81%	85%	
# of Actual Voters	527	353	527	515	666	90
Voter Turnout Percentage	11.47%	6.28%	9.10%	7.93%	12.75%	

Exhibit #3

Proposed by Ad Hoc Election Participation Advisory Committee

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 6C OF THE CITY CODE
ENTITLED "ELECTIONS" ARTICLE III ENTITLED "ABSENTEE VOTING" SECTION 6C-14
THEREOF ENTITLED "WHO MAY VOTE" SO AS TO PERMIT QUALIFIED VOTERS TO
CHOOSE TO VOTE BY ABSENTEE BALLOT WITHOUT
THE REQUIREMENT THAT THE VOTER BE ABSENT FROM THE
CITY ON THE DAY OF THE ELECTION

BE IT ORDAINED, by the Mayor & City Council of the City of Gaithersburg, in public meeting assembled, that Chapter 6C of the City Code, Section 6C-14 is hereby amended to read as follows:

CHAPTER 6C
ELECTIONS

* * * * *

Sec. 6C-14. Who may vote.

Any qualified voter [who will be absent from the city for any reason on a special, primary, or general election day, or whose physical disability will prevent him from being present at the polls on such an election day, shall be entitled] may choose to vote by absentee ballot rather than appear in person at the polls on election day.

* * * * *

SIDNEY KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this _____ day of 2007.
APPROVED by the Mayor of the City of Gaithersburg, this _____ day of _____, 2007.

SIDNEY KATZ, Mayor

THIS IS TO CERTIFY that the foregoing ordinance as adopted by the City Council of Gaithersburg, in public meeting assembled, on the _____ day of _____, 2007 and that the same was approved by the Mayor of City of Gaithersburg on the _____ day of _____, 2007. This Ordinance will become effective on the _____ day of _____, 2007.

David B. Humpton, City Manager

Exhibit #4

Elections – Policy for Airing Candidate Forums or Debates Proposed by Ad Hoc Election Participation Advisory Committee

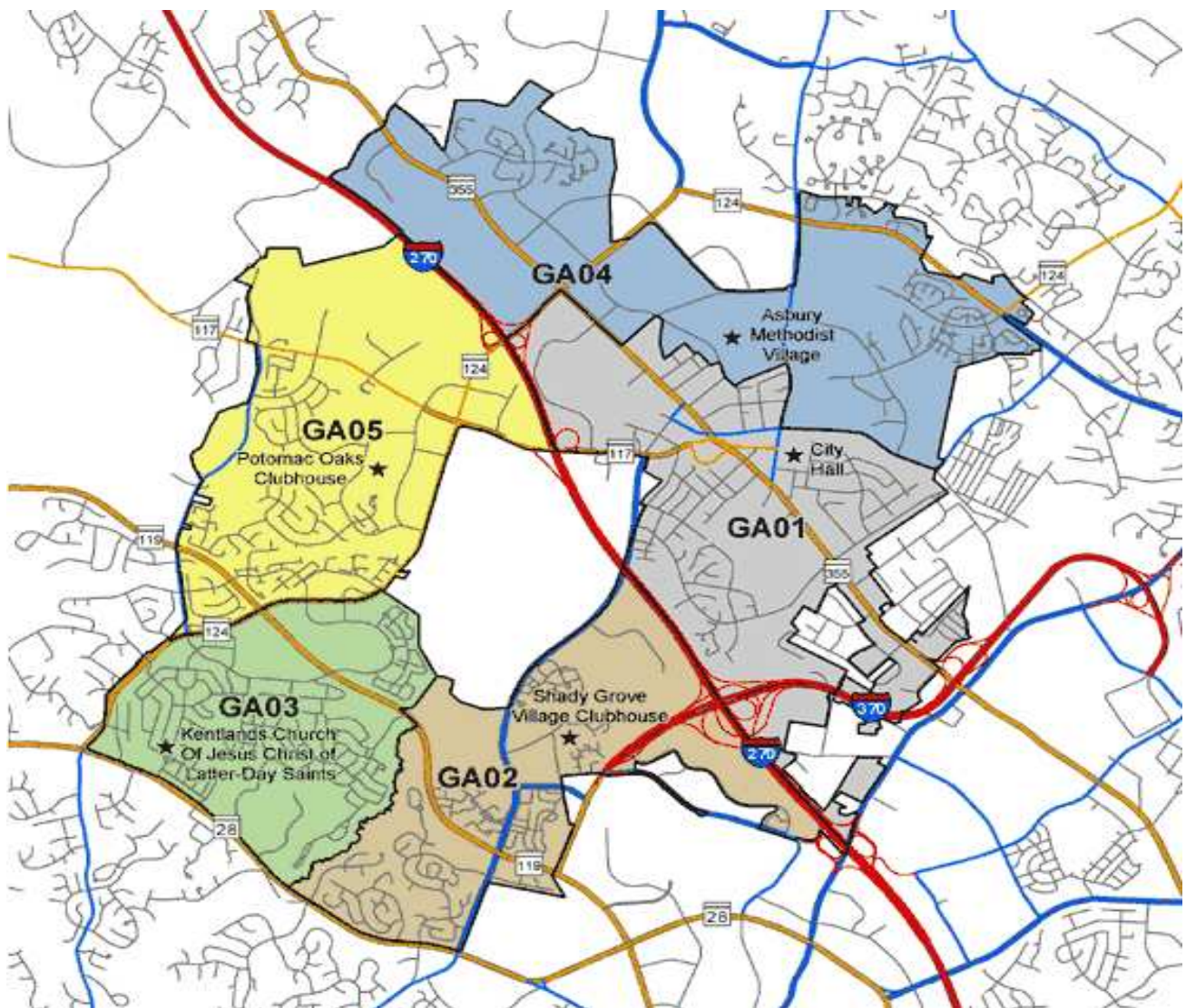
The City may air up to three candidate debates or forums prior to the Gaithersburg General Election, subject to the following conditions:

1. Debate/forum must be sponsored by an independent, non-partisan organization that does not endorse candidates.
2. For technical reasons, the proposed debate/forum must be held in the City Council chambers. If a debate/forum is held, the Mayor and City Council chambers will be modified so it does not appear to be the same set used for Mayor and City Council meetings.
3. Any debate/forum which is to appear on Gaithersburg Channel 13 may not conflict with any regularly scheduled Mayor and City Council meeting, Mayor and City Council work session or Planning Commission meeting.
4. City staff must not be involved in any way in the hosting, moderating, facilitating, or asking of questions. The only involvement from City staff will be camera operators and a producer in the control booth. A representative of the Board of Supervisors of Elections will be present in the control booth to supervise the producer.
5. No editing will be done by staff with the exception of adding opening and closing graphics and correcting technical problems. However, the Board of Supervisors of Elections member supervising the producer shall have the authority to halt airing any portion of a forum or debate if obscene language is used or other disturbances are under way.
6. All candidates certified to appear on the ballot by the Board of Supervisors of Elections must be invited to participate in any televised debate or forum.
7. Any debate or forum aired on Gaithersburg Channel 13 will be aired live and will be advertised on the channel's bulletin board for five days prior to the live airing. The unedited debate or forum will be replayed at least once daily on Channel 13 for a period of one week or until the airing of the next live debate, with one airing to be conducted during the hours of 8 p.m. to 11 p.m. The schedule of airings will be posted on the City's website and will appear on the Cable TV bulletin board. Within 48 hours of the airing, the debate or forum will be linked to the Elections Page of the City website for on-demand viewing.

8. Any organization that wishes to sponsor a debate or forum to appear on Gaithersburg Channel 13 must submit a written request to the Board of Supervisors of Elections at least 30 days prior to the election. The Board of Supervisors of Elections will determine if the organization meets the requirements outlined in paragraph one above.
9. If more than three organizations submit proposals that meet these guidelines, the three debates or forums will be selected based on a random drawing by the Board of Supervisors of Elections.
10. It shall be the responsibility of the Board of Supervisors of Elections to administer this policy.

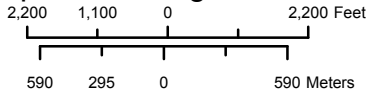
ELECTION MAP FOR CITY OF GAITHERSBURG
2005 ELECTION

- GA 01 - CITY HALL**
- GA 02 - SHADY GROVE VILLAGE CLUBHOUSE**
- GA 03 - KENTLANDS**
- GA 04 - ASBURY METHODIST VILLAGE**
- GA 05 - POTOMAC OAKS CLUBHOUSE**



City Elections 2007

Proposed Voting Areas and Polling Places



Voting Areas and Polling Places 2007.mxd • 8-Mar-2007 • jke



MD State Plane
HPGN NAD 83/91

Property boundaries, voting information, and planimetric basemap ©2007
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